

any claim placed in his hands for collection according to law, or for a breach of duty in not paying over money collected by him upon any such claim, the receipt of such constable to the creditor or his agent for the claim for collection, or proof that he received it for collection according to law shall be sufficient *prima facie* evidence to entitle the plaintiff to recover in such suit, unless the defendant shall prove that the constable has discharged his duty in such case according to law.

This section does not contemplate the constable or his bond being liable for the action of the justice in taking an invalid *supersedeas*. *State v. Turner*, 16 Md. 515.

The constable's receipt is *prima facie* evidence of the validity of the plaintiff's claim. *Burtles v. State*, 4 Md. 279.

An. Code, 1924, sec. 18. 1912, sec. 18. 1904, sec. 18. 1888, sec. 21. 1842, ch. 283, sec. 2.

18. The bond of the constable, which shall be in force at the time he shall receive claims for collection, shall be liable to be sued and recovered upon, in cases under the preceding section, unless it shall appear in proof that after using reasonable diligence he was prevented from recovering the money from the defendant by a *supersedeas* of the judgment recovered against him, or an injunction or *certiorari*, or unless the powers of the constable shall cease before he could, by execution and the use of proper diligence, recover such claim.

An. Code, 1924, sec. 19. 1912, sec. 19. 1904, sec. 19. 1888, sec. 22. 1842, ch. 283, sec. 3.

19. The preceding section shall not preclude any creditor from instituting suit upon any other bond of the constable, if neglect, default or breach of duty shall arise during the term of office of the constable under such bond.

An. Code, 1924, sec. 20. 1912, sec. 20. 1904, sec. 20. 1888, sec. 23. 1820, ch. 185, sec. 1.

20. Where any constable shall receive money and shall fail to pay the same to the party to whom the same is due, or to his executors, administrators or assigns, any justice, on application of the party, his executors, administrators or assigns, may issue a summons against the constable for the money by him received, and may direct said summons to any constable or other person willing to serve the same; and on return of such summons, the justice shall proceed as in other cases.

An. Code, 1924, sec. 21. 1912, sec. 21. 1904, sec. 21. 1888, sec. 24. 1820, ch. 185, sec. 2.

21. Upon a judgment rendered under the preceding section, the constable shall not be allowed a *supersedeas*, but execution may issue forthwith.

Police Duties of Constables.

An. Code, 1924, sec. 22. 1912, sec. 22. 1904, sec. 22. 1888, sec. 25. 1780, ch. 24, sec. 21. 1852, ch. 344. 1900, ch. 352. 1906, ch. 435.

22. Each constable shall be sworn up at every circuit court for the county, or criminal court of Baltimore, to the grand jury. This section not to apply to Frederick and Allegany Counties.

An. Code, 1924, sec. 23. 1912, sec. 23. 1904, sec. 23. 1888, sec. 26. 1842, ch. 190, sec. 11.

23. They shall visit all places within their respective city or counties where it is suspected that gaming tables are kept, and shall give information of all violations of law to the next circuit court for their county or criminal court of Baltimore.